

0005

**CONSOL ENERGY**C/015/007 Incoming  
Bond Rider to FireproofConsolidation Coal Company #3410  
PO Box 566  
Route 148 North  
Sesser, IL 62884File in: C/015/007 2009 Incoming  
Refer to:  
☐ Confidential  
☐ Shelf  
☒ Expandable  
Date 9/25/09 for additional information

September 25, 2009

**RECEIVED****OCT 05 2009****DIV. OF OIL, GAS & MINING**

Mr. James Smith, Permit Supervisor  
Utah Coal Regulatory Program  
Division of Oil Gas & Mining  
1594 West North Temple, Suite 1210  
Box 145801  
Salt Lake City, Utah 84114-5801

Re: Submittal of Midterm Response  
Permit 015/007, Hidden Valley Mine  
Task ID #3302

Dear Mr. Smith:

This letter and enclosed application for permit change is in response to the Division letter of August 3, 2009. In the letter, the Division identified deficiencies which require corrections to information contained in the permit application.

*R645-301-121.100, Legal, Financial information in Chapter 1 of the Hidden Valley MRP is outdated for the address and telephone number of the Permittee and operator. The Permittee should evaluate the information provided in Chapter 1 and Appendix 1-1 for accuracy.*

Proposed changes to the Narrative of page 1 and 2 of Chapter 1, Part I. Legal, Financial, and Compliance Information has been revised to correctly identify the mailing addresses and telephone numbers of the various entities'.

Additional information is being submitted to update current listing of Officers and Directors along with new organizational charts of Consolidation Coal Company parent company CONSOL Energy Inc., contained in Appendix I of Chapter 1.

Revised information concerning Appendix III, List of Permits and Appendix IV, List of Violations is also being submitted to update the MRP.

*MRP Chapter 1, Attachment C, provides a listing of surface and subsurface ownership that may be outdated and should be evaluated by the Permittee for accuracy. If revisions are necessary, please include the information in the map format required by R645-301-521.130.*

The information contained in Chapter 1, Appendix II, Attachment C, has been updated to correctly identify mineral ownership in Section 18, T23N, R5E. Map format of this information has been included with the submittal. Certified maps will be provided with clean revision copies on Division approval.

*Amendment 97B to the MRP was approved September 22, 1997. Reclamation activity on the B seam side of the site commenced in 1997. Page 2 of the approved amendment states that the A seam side would be reclaimed in a similar manner in a couple of years after the evaluation of the B-seam side. In 2005 Consolidation Coal Co. stated that the reclamation of the A seam side would depend upon the decision by the Board of Directors whether portal development would be pursued through the A seam. The Permittee should complete the work on the A seam side or alter the reclamation plan to reflect current intentions.*

Revised page 2 of the 97-B amendment is included to update the reclamation plan. We request that final reclamation of the A seam bench remain in an idle state for the remainder of the permit term. Consolidation Coal will maintain best technology currently available to prevent contribution of suspended solids to the stream. Water monitoring and reporting will continue as approved in the permit. Sediment controls approved in the permit will be maintained in good functioning order until the entire permit area is properly reclaimed and bond release procedures have been followed and approved by the Division.

*R645-301-112.800, A meeting was held between the Division and Consolidation Coal Company on March 21, 2007, after the January 2007 permit renewal. DOGM meeting notes describe Consolidation Coal Company's interest in adjacent fee and SITLA lands: Consol fee – 480 acres, and SITLA 1120 acres. A statement of interest in these lands, options or pending bids should be included in Section 112.800 of the MRP.*

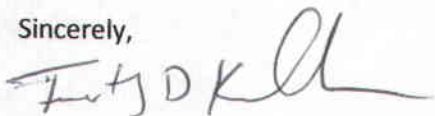
At this time, we do not intend to place modify the narrative within the permit. Consolidation Coal continues to evaluate this reserve along with the adjacent properties. Consolidation Coal continues to own in fee the 480 acres adjacent to the north side of the present permit boundary. Mining of the A-seam reserve remains in the company's long range plan. Current market conditions and capital requirements preclude the company from extending further action on acquiring the SITLA coal tracts at this time.

*As part of the midterm review, the Division evaluated/revised the reclamation cost estimate. According to Division records, the current bond was calculated for 2004 dollars. As such, the 2004 bond amount of \$95,501.00 was revised to reflect 2009 dollars and then escalated by the current factor of 1.3% per year for five years (2010-2014). The minimum amount of bond that must be posted for the site is now \$112,000.00. Please update the bond amount within 60 days.*

Bond rider to increase the current bond from \$95,501 to \$112,000 has been included as part of this submittal.

If you have any questions concerning responses or submitted permit changes, please contact me at this office.

Sincerely,



Timothy D. Kirschbaum  
Environmental Engineer

RECEIVED

OCT 05 2009

DIV. OF OIL, GAS & MINING

# APPLICATION FOR COAL PERMIT PROCESSING

Permit Change ☒ New Permit ☐ Renewal ☐ Exploration ☐ Bond Release ☐ Transfer ☐

Permittee: Consolidation Coal Company

Mine: Hidden Valley Mine

Permit Number: ACT/015/007

Title: Response to Midterm Permit Review, Task #3302.

Description, Include reason for application and timing required to implement:

Response to midterm review update legal information, ownership & control and bond rider.

**Instructions:** If you answer yes to any of the first eight (gray) questions, this application may require Public Notice publication.

- ☐ Yes ☒ No 1. Change in the size of the Permit Area? Acres: \_\_\_\_\_ Disturbed Area: \_\_\_\_\_ ☐ increase ☐ decrease.
- ☐ Yes ☒ No 2. Is the application submitted as a result of a Division Order? DO# \_\_\_\_\_
- ☐ Yes ☒ No 3. Does the application include operations outside a previously identified Cumulative Hydrologic Impact Area?
- ☐ Yes ☒ No 4. Does the application include operations in hydrologic basins other than as currently approved?
- ☒ Yes ☐ No 5. Does the application result from cancellation, reduction or increase of insurance or reclamation bond?
- ☐ Yes ☒ No 6. Does the application require or include public notice publication?
- ☒ Yes ☐ No 7. Does the application require or include ownership, control, right-of-entry, or compliance information?
- ☐ Yes ☒ No 8. Is proposed activity within 100 feet of a public road or cemetery or 300 feet of an occupied dwelling?
- ☐ Yes ☒ No 9. Is the application submitted as a result of a Violation? NOV # \_\_\_\_\_
- ☐ Yes ☒ No 10. Is the application submitted as a result of other laws or regulations or policies?
- Explain: \_\_\_\_\_
- ☐ Yes ☒ No 11. Does the application affect the surface landowner or change the post mining land use?
- ☐ Yes ☒ No 12. Does the application require or include underground design or mine sequence and timing? (Modification of R2P2)
- ☐ Yes ☒ No 13. Does the application require or include collection and reporting of any baseline information?
- ☐ Yes ☒ No 14. Could the application have any effect on wildlife or vegetation outside the current disturbed area?
- ☐ Yes ☒ No 15. Does the application require or include soil removal, storage or placement?
- ☐ Yes ☒ No 16. Does the application require or include vegetation monitoring, removal or revegetation activities?
- ☐ Yes ☒ No 17. Does the application require or include construction, modification, or removal of surface facilities?
- ☐ Yes ☒ No 18. Does the application require or include water monitoring, sediment or drainage control measures?
- ☐ Yes ☒ No 19. Does the application require or include certified designs, maps or calculation?
- ☐ Yes ☒ No 20. Does the application require or include subsidence control or monitoring?
- ☐ Yes ☒ No 21. Have reclamation costs for bonding been provided?
- ☐ Yes ☒ No 22. Does the application involve a perennial stream, a stream buffer zone or discharges to a stream?
- ☐ Yes ☒ No 23. Does the application affect permits issued by other agencies or permits issued to other entities?

Please attach four (4) review copies of the application. If the mine is on or adjacent to Forest Service land please submit five (5) copies, thank you. (These numbers include a copy for the Price Field Office)

I hereby certify that I am a responsible official of the applicant and that the information contained in this application is true and correct to the best of my information and belief in all respects with the laws of Utah in reference to commitments, undertakings, and obligations, herein.

Jonathan M. Pachter  
Print Name

Jonathan M. Pachter 9/30/09  
Sign Name, Position, Date  
General Manager, Environmental Services

Subscribed and sworn to before me this 30 day of SEPTEMBER, 2009

J M Young  
Notary Public  
My commission Expires: \_\_\_\_\_, 20\_\_\_\_  
Attest: State of PENNSYLVANIA } ss:  
County of WASHINGTON

COMMONWEALTH OF PENNSYLVANIA  
Notarial Seal  
Jane M. Young, Notary Public  
Cecil Twp., Washington County  
My Commission Expires June 20, 2013  
Member, Pennsylvania Association of Notaries

For Office Use Only:

Assigned Tracking  
Number:

Received by Oil, Gas & Mining

**RECEIVED**  
**OCT 05 2009**  
**DIV. OF OIL, GAS & MINING**



# APPLICATION FOR COAL PERMIT PROCESSING

## Detailed Schedule Of Changes to the Mining And Reclamation Plan

**Permittee:** Consolidation Coal Company

**Mine:** Hidden Valley

Permit Number: ACT/015/007

**Title:** Response to midterm review, Task Id #3302

Provide a detailed listing of all changes to the Mining and Reclamation Plan, which is required as a result of this proposed permit application. Individually list all maps and drawings that are added, replaced, or removed from the plan. Include changes to the table of contents, section of the plan, or other information as needed to specifically locate, identify and revise the existing Mining and Reclamation Plan. Include page, section and drawing number as part of the description.

**DESCRIPTION OF MAP, TEXT, OR MATERIAL TO BE CHANGED**[illegible]

**Any other specific or special instruction required for insertion of this proposal into the Mining and Reclamation Plan.**

Received by Oil, Gas &amp; Mining

RECEIVED

OCT 05 2009

DIV. OF OIL, GAS & MINING